IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 10TH SEPTEMBER 2007 / 19TH BHADRA 1929

Bail Appl..No. 5411 of 2007()

CRIME NO.255 OF 2007 OF KODAKARA POLICE STATION

: PETITIONER/ACCUSED NO.3

MANOJ,S/O.SUDHAKARAN,NADUMURI HOUSE,
ALOOR, MUKUNDAPURAM TALUK.

BY ADV. SRI.P.S.SREEDHARAN PILLAI

RESPONDENTS: COMPLAINANT STATE

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.5411 of 2007

Dated this the 10th day of September, 2007

ORDER

Application for regular bail. The petitioner is the 2nd accused in a crime registered under Section 399 I.P.C. The alleged incident took place on 20.06.07. The petitioner could not be arrested on the date of detection. Later, on 10.07.07, the petitioner surrendered before the learned Magistrate. He continues in custody from that date.

2. An earlier application filed by the petitioner was dismissed by this Court as per order dated 20.08.07 in B.A.No.5058 of 2007. That application was dismissed with the observation that the petitioner can approach this Court for bail again at a later stage, not prior to 4.9.07. This petition has been filed on 4.9.07. I have adverted to facts in detail in the said order. This order is to be read in continuation of the said order. It is not hence necessary for me to advert to facts in greater detail in this order.

3. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied in the facts and circumstances of this case that the petitioner, who has been continuing in custody from 10.07.07 can now be enlarged on bail subject to appropriate terms and conditions.

4. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-